

1897-007
Lee Co.

Chancery Causes: A. L. Pridemore vs. John Gilley 6c

Orr

CA - Contract Dispute
T - Property

- Deed

To the Hon. W. T. Miller Judge
of the Circuit Court of Lee
County Virginia:

Your orator
A. L. Pridemore who humbly
complaining would respectfully
represent that on the 21st day
of Jan. 1896 he purchased from
Robert W. Orr two bonds, exe-
cuted to him by John Gilley for
the price of a tract of land
situated in the Turkey Cove
in said County, and on that
day the said Orr by a writing
therein endorsed assigned the
same to your orator. They both
bore date the 26th day of April
1894; The first was due and pay-
able by the first day of January
1897, but bore interest from its
date; and was for the sum of
\$900.⁰⁰ and waived the benefit of
the said obligor's Homestead exemption
And was subject to a credit of
\$54.⁰⁰ as of its date. And a credit
of \$ paid about Oct-8th, 1896,
and \$400.⁰⁰ paid Sept 18th, 1897. The res-
idue is still due & owing to your
orator, never having been paid to
him or the said Orr.

The other bond is not yet due
it falls due Jan-1st 1898; But the

1 But the interest thereon is payable
2 annually, and out of the sums
3 noted as paid above your orator
4 paid the interest or rather applied
5 it to the interest then due on this
6 last named bond. That is out of
7 the \$400 paid Sept 18 1897, the said Gilly
8 did not direct its application and
9 your orator applied \$96 the interest on
10 this last bond for the years 1895, 1896
11 ending April 26 of each year.

12 The said orator made conveyance
13 of said land to said Gilly and de-
14 livered the said deed to him - in
15 which he retained a lien as vendor
16 for the payment & security of these
17 two bonds.

18 Your orator is advised that he
19 has such lien upon said tract
20 of land, for the payment of
21 the first bond above mentioned
22 the Collection of which is only
23 sought at this time.

24 Your orator is advised that a
25 Court of equity will enforce the
26 same on said land & sell so much
27 as may be necessary to pay the
28 same. He is further advised that
29 said R. W. Carr as assignor of the
30 same would be liable to him
31 should said land fail on re-sale
32 to pay the same, and said Gilly

refuse or fail to do, which is the
object of making him a party
hereto. The said first bond is hereto
attached as part hereof & is prayed
to be considered herewith.

The object of this bill is to
enforce said lien & sell so much
of said land as may be neces-
sary to pay the same.

To affect which he prays that
John Gilley & Robert W. Orr be made
parties to this bill & that they ans-
wer the same, but they need not
do so upon oath that being
waived. That on a hearing said
land be sold & said debt be
paid. And for all other further
& general relief. May Sup-
remacy &c.

Frederick Sewell
P. G.

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By the first day of January 1897, I promise to pay to
R. W. Orr. Nine hundred dollars, with interest from April
26th 1894. the said interest to be paid annually. It being purchase
money for land. And I waive the benefit of my homestead exemption
as to this debt. Witness my hand and seal, this 26 day of April 1894.

John Gilby 

For value, received
I assign the within
note to A L Pickensmore
Jan. 21 1896.

Robert W Orr
credit \$304. Sept 18
1897, balance of \$400
check after two year
interest credits on
\$800 bond see endorse-
ment there.

\$574.00

28 Oct

Oct 26 1898

1 2 3 4 5 6

TPS

A. L. Pridemore

J. Bill Chy.


John Gilley et al

1897. 2nd Oct rules & pa end
+ L & R

" 1st Nov rules taken the
last Monday in Oct
D & R Confd + Cause set
for hearing

This deed made this 4th day of ~~January~~^{April} 1876
between Isah Daugherty of the first part and Patrick
Hagan trustee of the second part, both of Lee County
Virginia Witnesseth, that for and in consideration
of the sum of one dollar we have paid to the ~~first~~
party of the first part the receipt whereof is hereby
acknowledged, as well as for the consideration here-
in after mentioned the said Daugherty, doth grant
 bargain sell and convey unto the said Patrick
Hagan trustee as aforesaid, a certain tract or parcel
of land situated in Rocky Station Lee County on
the waters of Station Creek, and is the same
whereon the said Daugherty now resides, and for
more particular description of which reference is
here made to the deeds and title papers of said
Daugherty now on file in the clerk's office of
said county. We trust nevertheless to secure &
pay unto Auburn L. Pridemore the sum of three
hundred dollars, due him by bond this day ex-
ecuted due on the 19th day of January 1878.
Now if the said Isah Daugherty shall well
and truly pay the interest on said bond annually
as the same falls due, and the principal thereof
on the said 19th day of January 1878. Then the
trustee, is to recover, the land herein granted, upon
the payment to him by said Daugherty of his
reasonable fees not exceeding 5 percent on the
amount of said note. But unless the same and
all sums herein set forth as well as the expense of

of drawing and recording this deed then it shall
be lawful for said trustee, after posting notice of
the times terms & place of sale for 30 days on the
front door of the Court House of this county to pro-
ceed at the said Court House door to sell so
much of said land as may be necessary to
pay the amount of this deed. Witness the follow-
ing signatures and seals this the day and
year first above written.

Isaiah Daugherty 

Virginia, Lee County Court Clerk's office the 5th day of April 1876.

The foregoing Deed from Isaiah Daugherty of the one part,
to Patrick Hagan Trustee of the other part, both of Lee County, Vir-
ginia, was this day acknowledged before me by the said Isaiah
Daugherty to be his act and deed for the purposes therein mentioned.
and said deed is admitted to record.

Teste - John R. Gibson J. C.
for James W. Orr, Clerk.

Patrick Hagan Trustee

John R. Gibson Trust

Isaiah Daugherty

Recorded in Deed Book

No 17 Page 456

James W. Orr Clerk

This deed made The 27, day of January in
The Year 1876 Between James K. P. Barron
attorney in fact for William N. G. Barron ^{and Elizabeth his wife} Jr. of
Lee County Virginia, of The one part and
John Gilley of the County of Wise and State
aforesaid and James H. Collier, of the County of
Lee and State aforesaid of The other part.
Witnesseth, That for and in Consideration of the
Sum of One Thousand and five hundred Dollars
in hand paid and secured to be paid The
receipt whereof is hereby acknowledged,
The Said James K. P. Barron, as attorney in fact ^{as aforesaid}
^{and Elizabeth Barron wife of the said William N. G. Barron Jr.} doth Grant bargain and sell unto The Said
John Gilley and James H. Collier, a Certain tract
or parcel of land lying and being in The Said
County of Lee, in The Turkey Cove. Being The
Same land purchased by The Said William N. G.
Barron Jr. from The heirs of Aaron J. Collier decd.
and which land has been laid off and assigned
to The Said William N. G. Barron Jr. by Commissioners
appointed for that purpose. Embracing all The
land as purchased by The Said William N. G. Barron
from Said heirs in The lands of The Said Aaron
J. Collier decd. including all The interest in
The cower lands of Sarah Collier widow of The
Said Aaron J. Collier decd. Subject however
to The cower rights of Said widow.
And The Said James K. P. Barron, as attorney in fact
as aforesaid covenants with The Said John Gilley and
James H. Collier, That he will warrant ^{as attorney aforesaid} Generally
The land hereby conveyed. The vendors lien is
retained on Said land till The purchase money
is fully paid and discharged. Witness The

Following signatures and Seals

J. K. P. Barron Seal
Attorney in fact for
William V. G. Barron Jr.

Eliza P. Barron. Seal

County of Lee State of Virginia To wit: I
Carr Bailey a Notary Public for the County
aforesaid in the State of Virginia, do Certify
that James K. P. Barron, attorney in fact for William
V. G. Barron Jr. whose name is signed to the writing
unto annexed bearing date on the 27, day of
January 1876 has acknowledged the same before
me in my County aforesaid. Given under
my hand this January 27, 1876

Carr Bailey N. P.

State of Virginia County of Lee To wit: I Carr Bailey
a Notary Public for the County aforesaid in the State of
Virginia do Certify that Eliza P. Barron wife of William
V. G. Barron Jr. whose names are signed to the writing
unto annexed bearing date on the 27, day of January 1876
personally appeared before me in the County aforesaid and
having the writing aforesaid fully explained to her she the said
Eliza P. Barron acknowledged the said writing to be her act, and
declared that she had willingly executed the same and does
not wish to retract it. Given under my hand this
January 27, 1876

Carr Bailey N. P.

Virginia, Lee County Court Clerk's office, the 1st day of Decr. 1876.
The foregoing Deed from J. K. P. Barron attorney in fact for
William V. G. Barron Jr. & Eliza P. Barron, of the one part,
and John Gilly of the County of Wise and State aforesaid
and James W. Collier of Lee Co. Va., of the other part
was this day admitted to record upon the certificate of
Carr Bailey a Notary Public in and for the County and
State aforesaid.

Teste: C. W. Orr Jr. C. C.

John Gilley and
James H. Collier
From } Deed
James K. R. Barron
attorney in fact &c -

681.00
 1000
 15/18 20 (1000)
 100
 10 20 40 6 1.25
 100 100
 275-100

Rec^d Jan 14th 1878 of Patrick Hoy on
the following claims for collection to wit

- 1 Note under Seal on H J Waller
due apt 19/67 for \$15.00
- 1 Note under Seal on Same L Ware
due Nov-19/66 for 20.00
- 1 Note under Seal on M. P. Rasnick
due Jan 1/60 for 10.00
- 1 Note due May 15/72 on
M N Glass hol. 8.57
- 1 Note on Elizabeth J Hubbard
due Mar 23/66 15.00
- 1 Note on L M Cole
due June 19/66 for 5.00
- 1 Note on Mrs F Warrick
due Oct 4/5-8 for 5.00
- 1 Note on A R Eugene & Mrs H
Allen due Jan 1/72 Int from
July 17/71 for - - - 15.00

All of which I will collect on
return as the law directs

Con. Lee 1878

Francis Miles

to { Receipt for
claims to collect

Patrick Horgan

By the first day of January next I bind
myself to pay Patrick Hagan Ten dollars
for value received with my hand &
seal this 15th March 1859



S. P. McAnnell

Willi. J. Gasnier (Seal)


W. P. Rasnick

Loz Note

P. Hagan

\$

One day after date I promise to pay
Patrick Mayan Eighteen Dollars value received of
him with my hand and seal 18th day of April 1867
Date

H. J. Wallin 

M. B. Woods

V. L. Waller

H { note

R. S. Vagan

H15

See Wild cat
rally

I promise to pay Patrick Hogan Five dollars
for value received witness my hand
& seal this 4th day of ^{his} October 1858
Teste David Miller, John ^{his} O. Warrick Seal
mdr k

Mr L. Wanick

To J. Note

P. Hagan

R. 10.

By the 1.st day of January next
we promise to pay Patrick Hogan
fifteen dollars with interest from
this date. Witnesses our hands and
Seals This 17th July 1871

John N. Allen (Seal)
A. L. Surprenant (Seal)

Mr H Allen 1004

to note

P. H. Hagan

115-

See

1750
Due P Hagan Comm. fifty eight
dollars and 77 cents, to be paid by
15th June 1872 witness my hand and
seal May 15th 1872

M N Hagan

M. N. Gloss

with note

P. Hagan can

pp 58

To June 1872 \$25.00
about 1872



\$ ~~1000~~

One day after date, I bind ~~myself~~ heirs, &c., to pay

Patrick Hagan,

Five

dollars

and _____ cents, value received.

Witness my hand and seal, this *18th* day of *June* 18*66*

Teste

David M. Cote
his
mark



Wm J Paul

Dr. M. W. C.

By note

P. Hagan

• • See



\$15 —

Three months after date, bind heirs, &c., to pay

Patrick Fagan, Fifteen dollars

and cents, value received.

Witness hand and seal, this 23rd day of December 1865

Elizabeth J. Hubbard

L. J. Hubbard

of note

Alvagan

See

\$100



One day after date, I bind myself heirs, &c., to pay
Patrick Tigan, Twenty Dollars dollars
and _____ cent, value received.

Witness my hand and seal, this 19th day of Nov 1866.

Samuel B. Ward
Mark



Samuel L More

to { note

P. Hagan

#20

See

7500
2887
4613

July 1896 or 1897
1887.
1897
1897

John Gilley
Oct 8 1896

7500
2887
4613
\$100

1897 March 13 \$150

Southwest Virginian, }
Jonesville, Va. }

The Commonwealth of Virginia,

To the Sheriff of the County of Lee Greeting:

We command you to summon

John Gilley & Robt H Orr

to appear at the Clerk's office of our Circuit Court of the County of Lee at the court-house thereof, at the
Rules to be holden for said court, on the *3rd* Monday in *October*, 189*7*, to answer
a bill in Chancery, exhibited against *them* in our court by *AL*

Pridemore

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said court, at the court-house, the *30th* day of

Sept

189*7*

, and in the 12^{*th*} year of the Commonwealth.

A B Munsey Clerk.

A copy—Teste:

Clerk,

A. L. Pridemore

vs. { SUBPCENA
IN CHANCERY.

John Gilly et al

P. Q. Sewell P. Q.

TO 2nd Oct Rules.

CIRCUIT COURT.

Executed as R. W. Orr on
the 8th day of October 1897,
by delivering a true
copy hereof to him,
and executed on
within named John
Gilly, on Oct. 15th 1897,
by delivering a true copy
hereof to Sarah Gilly
who is over 16 years of
age and who was found
at the usual place of abode
of said Gilly, he executing
same at his usual
place of abode, and
to whom I gave

information as to the purport of said
subpoena Jas. M. Weston, D. S. for
W. J. Weston, D. S. C.